

In re: CC Docket No. 98-67, File No: TRS-22-02, Hawaii Public Utilities Commission

These comments are filed by the Disability and Communication Access Board. The DCAB is a state agency charged by the legislature with the responsibility to:

HRS-348F-3 (5) Serve as public advocate of persons with disabilities by providing advice and recommendations on matters relating to access for persons with disabilities, with emphasis on legislative matters, administrative rules, policies, and procedures of the state and county governments;

(6) Review and assess the problems and needs relating to access for persons with disabilities in the State in order to provide recommendations in the improvement of laws and services;

(7) Serve as the designated state agency to coordinate the efforts of the State to comply with the requirements of the Americans with Disabilities Act for access to services, employment, telecommunications, and facility and site design;

(8) Provide technical assistance and guidance to, but not limited to, state and county entities in order to meet the requirements of state, federal, and county laws providing for access for persons with disabilities through public education programs and other voluntary compliance efforts; [HRS-Section 348F-3]

The DCAB is concerned that the Hawaii Public Utility Commission=B9s Telecommunication Relay Services State Certification Renewal application does not represent the best interests of the TRS users in Hawaii.

We have several concerns:

1.) The Public Utility Commission has not conducted a review of the availability of qualified relay service providers since June of 1992. There has been significant change in a.) relay service technology, b.) organizations and companies providing relay services and c.) ownership and operation of the TRS provider in Hawaii since 1992. Failure to conduct a new review and an open competitive bidding process fails to ensure that the relay services are the best available and even fails to ensure that the provider is qualified.

2.) Hawaii rate-payers pay one of the highest surcharges in the nation, \$0.17 per access line for TRS services. However, the provider, who collects and retains the entire surcharge amount, does not provide the same level of services provided by many states with significantly lower surcharges. Specifically, the Hawaii TRS provider does not provide either a Telecommunications Equipment Distribution Program (TEDP) nor does the provider offer Video Relay Services (VRS) which are provided by many states with lower surcharges than Hawaii. No open and public accounting of the funds collected by the TRS provider has been made. The DCAB does not

understand how the provider can collect one of the highest tariffs in the nation and provide only minimal services.

3.) The DCAB is aware of complaints filed with our office, with the PUC and with Verizon which are not reported in the PUC=B9s filing with the FCC. One glaring example is Robert Segalman=B9s ongoing frustration with inadequate Speech to Speech services which was eventually reported on the front page of the Honolulu Star Bulletin. If some complaints we are aware of are not reported how many other complaints also go unreported? Complaint contact information for Verizon posted on the FCC=B9s website is out of date. The phone numbers and email address posted for Janet Karrenbrock at GTE Network Services are all non-operable and have been so for at least one year. Anecdotal evidence from the community suggests significant dissatisfaction with current TRS services. The DCAB is concerned that the PUC has re-certified the TRS provider based on an inadequate and incomplete accounting and understanding of consumer complaints.

4.) The DCAB has strongly recommended that the PUC establish a consumer based advisory council reporting directly to the PUC on TRS quality of service issues. The PUC has declined to do so. The PUC wrote to a consumer, in response to complaint, on September 4, 2002, =B3Although there is no consumer-based advisory group for TRS in the State, the Disability and Communication Access Board (DCAB) is the state agency whose primary functions (sic) among other things, is to serve as a public advocate of persons with disabilities..=B2. The PUC has also chosen to ignore the recommendations made in writing by DCAB and chosen to decline assistance from DCAB=B9s technical staff in preparation of the re-certification application.

In summary, the DCAB believes that Hawaii rate-payers are paying too much for too few services, with inadequate input from the community of users and inadequate accounting for public funds collected and used by the TRS provider. The DCAB suggests that the FCC authorize a one year extension to the Hawaii PUC and direct them to reapply for certification when they have addressed the issues raised by this Board.

Sincerely,

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